

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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DANIEL WILLIAMS,  
and EDWARD WILLIAMS,

Plaintiffs,

-vs-

NOTICE OF CROSS-  
APPEAL

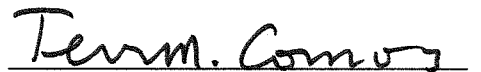
Case No: 10-1339  
No. 05-CV-0836S

BEEMILLER, INC. d/b/a HI-POINT,  
CHARLES BROWN,  
MKS SUPPLY, INC.  
INTERNATIONAL GUN-A-RAMA,  
KIMBERLY UPSHAW,  
JAMES NIGEL BOSTIC,  
CORNELL CALDWELL, and  
JOHN DOE TRAFFICKERS 1-10,

Defendants.  
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Notice is hereby given that plaintiffs Daniel Williams and Edward Williams hereby appeal to the United States Court of Appeals for the Second Circuit from so much of the Order entered in this action on March 10, 2010 (Document 70), which denied in part plaintiffs' application for attorney fees and costs incurred as the result of the removal of this case and set the amount of the attorneys fees and costs awarded to plaintiffs at Fifty Three Thousand Five Hundred Thirty-One Dollars and Thirty-Six Cents (\$53,531.36).

DATED: Buffalo, New York  
April 22, 2010

  
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WESTERN DISTRICT OF NEW YORK

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DANIEL WILLIAMS,  
and EDWARD WILLIAMS,

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-vs-

AFFIDAVIT OF SERVICE

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No. 05-CV-0836S

BEEMILLER, INC. d/b/a HI-POINT,  
CHARLES BROWN,  
MKS SUPPLY, INC.,  
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Defendants.  
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STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:  
CITY OF BUFFALO )

ERIC M. SOEHNLEIN, being duly sworn, deposes and says that on April 22, 2010, he electronically filed the forgoing Notice of Appeal using the CM/ECF system, which then electronically notified the following CM/ECF participants in this case: Renzulli, Piscioti & Renzulli, LLP, John F. Renzulli, Esq. and Scott Charles Allan, Esq., of counsel, attorneys for defendant Beemiller, Inc. d/b/a Hi-Point; Scott L. Braum & Associates, LTD, Scott L. Braum, Esq. and Timothy R. Rudd, Esq., of counsel, attorneys for defendant Charles Brown; Piscioti & Malsch, P.C., Jeffrey M. Malsch, Esq of counsel, attorneys for defendant MKS Supply, Inc.; Damon & Morey LLP, Thomas J. Drury, Esq., and John P. Ford, Esq. of counsel, attorneys for Charles Brown and MKS Supply, Inc.; and Lustig &

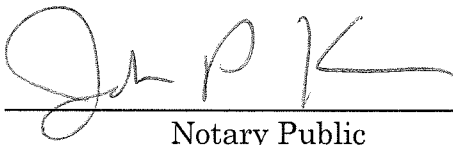
Brown, LLP, James J. Dugan, Esq., of counsel, attorneys for International Gun-A-Rama; and

A copy of the Notice of Appeal was served by first-class mail to John F. Renzulli, Esq.; John P. Ford, Esq.; Scott L. Braum, Esq.; Timothy R. Rudd, Esq.; Kimberly Upshaw; James Nigel Bostic; and Cornell Caldwell, each at the respective addresses shown above, on this 22nd day of April, 2010.



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Sworn to before me this  
22<sup>nd</sup> day of April, 2010.

  
Notary Public

JOHN KROMER  
Notary Public - State of New York  
No. 01KR6113132  
Qualified in Erie County  
My Commission Expires July 19, 2012